



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,953	12/11/2000	Bruce M. Schena	IMM1P034A	6372

22903 7590 02/25/2004

COOLEY GODWARD LLP
ATTN: PATENT GROUP
11951 FREEDOM DRIVE, SUITE 1700
ONE FREEDOM SQUARE- RESTON TOWN CENTER
RESTON, VA 20190-5061

EXAMINER

BRIER, JEFFERY A

ART UNIT	PAPER NUMBER
----------	--------------

2672

DATE MAILED: 02/25/2004

30

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/734,953

Applicant(s)

SCHENA ET AL.

Examiner

Jeffery A Brier

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2004.
2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39,40,42-44,49,50,52-54 and 61-78 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 39,40,42-44,49,50,52-54 and 61-78 is/are allowed.
6) ☐ Claim(s) _____ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendment filed on 02/09/04 will be entered upon responding to this office action.

Specification

2. This application is in condition for allowance except for the following formal matters:

This application contains many references to US patent applications, these references need to be updated to reflect their current status as patents (or abandoned). For example on page 11 line 13 "08/924,462, filed 8/23/97" should be rewritten as "08/924,462, now U.S. Patent No. 6,252,579, filed 8/23/97"

Serial nos. that need to be updated appear on at least pages 11, 13, 14, 17, 18, 21, 23, 25, 26, 28, 30, and 31

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

Claims 63 and 66 are allowed.

The prior art of record does not teach or suggest an indexing button on the force feedback interface device enabling an indexing mode. This is described in applicant's specification at page 12 line 33 to page 13 line 12.

Claims 39, 40, 42-44, 49, 50, 52-54, 61, 62, 64, and 65 are allowed.

The prior art of record does not teach or suggest when or after a force functionality button is depressed by the user and when the cursor crosses a border of a click surface applying by the actuator a spring force resisting motion of the cursor into said click surface. The closest prior art is Salcudean which at column 9 lines 44-48 describes transferring the tactile sense of pressing a button when the pointer or cursor presses the softbutton, but does not teach the force functionality button and does not teach applying a spring force resisting motion of the cursor as the cursor crosses the border of the click surface into the click surface.

Claims 67-71 are allowed.

The prior art of record does not teach or suggest a button configured to modify the haptic feedback output when the location of the displayed cursor and displayed graphical object are associated with each other by having the haptic feedback represent a resistive spring force opposing a movement of the cursor displayed on the graphical interface.

Claims 72-75 are allowed.

The prior art of record does not teach or suggest selecting a first type of haptic feedback... when the button is in a first position and selecting a second type of haptic feedback... when the button is in a second position different from the first position.

Claims 76-78 are allowed.

The prior art of record does not teach or suggest the haptic feedback being a first haptic-feedback when the button is in a first position and being a second haptic-feedback when the button is in a second position.

Drawings

4. The 11 sheets of drawings filed on 03/26/01 and the one sheet of drawings filed on 10/06/03 has been approved.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A. Brier whose telephone number is (703) 305-4723. The examiner can normally be reached on M-F from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Art Unit: 2672

or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Jeffery A Brier
Primary Examiner
Art Unit 2672